

ORDINANCE 2012-25

ORDINANCE AMENDING SECTIONS 3-101, 3-204 AND 3-206 OF THE  
MILLINGTON MUNICIPAL CODE REGARDING CITY COURT JUDGE  
AND CITY COURT CLERK

WHEREAS, Sections 11.07 and 11.08 of the Charter of the City of Millington provides that there shall be popular election of the City Court Judge for terms of eight (8) years, and that the Judge serving at the time of adoption of the Charter shall continue in office until expiration of his current term; and

WHEREAS, the term of the currently serving City Court Judge will expire in 2014, and the Board of Mayor and Aldermen desires to provide for election of the City Court Judge in accordance with the Charter; and

WHEREAS, Section 11.11 of the Charter of the City of Millington provides that the City Court Clerk shall be elected by the voters for terms of four years and that the Board of Mayor and Aldermen may by ordinance provide that the election of the City Court Clerk shall coincide at every other election with the election of the City Judge; and

WHEREAS, the Board desires to provide for election of the City Court Clerk for terms of four (4) years, beginning at the time of the next election for City Judge in 2014;

NOW, THEREFOR, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, as follows:

1. Section 3-101, Judge to be elected, of the Millington Municipal Code is amended by numbering existing Section 3-101 as Section 3-101 (a) and by adding new Section 3-101 (b) to read as follows:

“Section 3-101 (b). Qualified voters of the City shall elect a Municipal Judge to serve terms of eight years, beginning at the time of the August, 2014 general state and county election. At each such election, the candidate who receives the largest number of votes shall be declared elected. The Judge’s term of office shall begin on the first day of September following the Judge’s election. All subsequent elections for Municipal Judge shall be held in accordance with Article 7, Section 5 of the Tennessee Constitution.”

2. Section 3-204, Municipal court clerk, of the Millington Municipal Code is deleted in its entirety and replaced with new Section 3-204, as follows:

“3-204. City Court Clerk. (a) The City Court Clerk shall be elected by qualified voters of the City; provided, however, that the City Court Clerk serving as of the date of adoption of this Ordinance shall serve until the first election for City Court Clerk in 2014.

(b) A City Court Clerk shall be elected at the time of the next election for City Court Judge, at the time of the August, 2014 general state and county election, for a term of four years. Thereafter, there shall be an election for City Court Clerk at the same time as the August general state and county elections every fourth year. The candidate who receives the largest number of votes shall be declared elected.

(c) The elected City Court Clerk’s term of office shall begin on the first day of September following the Clerk’s election.”

BE IT FURTHER ORDAINED that Section 3-206, Vacancy occurring in office of clerk, of the Millington Municipal Code is deleted in its entirety and replaced with new Section 3-206, as follows:

“3-206. Vacancy in Office of City Court Clerk. In the event of a vacancy in the office of City Court Clerk by death, resignation or removal from office, the Board of Mayor and Aldermen shall appoint a person to serve as City Court Clerk until the next August state election, at which time a City Court Clerk shall be elected by the voters to fill the remainder of the unexpired term of the previously elected City Court Clerk.”

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its adoption on third and final reading, the public welfare requiring it.

First reading \_\_\_\_\_  
Second reading \_\_\_\_\_  
Third reading \_\_\_\_\_

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Linda L. Carter, Mayor

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Carolyn K. Conley, City Clerk